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12/28/01 U.S. PTO

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## UTILITY PATENT APPLICATION TRANSMITTAL

Under Small Entity Status

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

011.0262.01

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Chris H. Hamilton, entitled System And Method For Determining A Natural Color Depth Of A Digital Image, for a(n):

- (X) Original Patent Application.  
 ( ) Continuing Application (prior application not abandoned):  
     ( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
     of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
     ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification; 21 Total Pages. (X) Drawing(s); 10 Total Sheets.  
 (X) Oath or Declaration:  
 (X) A Newly Executed Combined Declaration and Power of Attorney:  
     (X) Signed. ( ) Unsigned. ( ) Partially Signed.  
 ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
     ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.  
     ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).  
 (X) Formal Drawings Transmittal Letter. (X) Return Receipt Postcard.  
 (X) Petition re Colored Drawings. (X) A Check in the amount of \$804 for the Filing Fee.  
 (X) Preliminary Amendment. (X) Information Disclosure Statement and Form PTO-1449.  
 (X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.  
 (X) Request & Certification Under 35 USC 122(b)(2)(B)(i)  
 (X) Power of Attorney by Assignee and Revocation of Prior Powers  
 (X) Assignment and Recordation.  
 (X) A Check in the amount of \$40 for the Assignment Recordation Fee.  
 (X) Applicant claims small entity status.  
 (X) Other: 1 published reference



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10/033465

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## CLAIMS AS FILED

FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	48	28	\$9.00	\$ 252.00
Independent Claims	4	1	\$42.00	\$ 42.00
Multiple Dependent Claims (if applicable)				\$140.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$370.00
			Total Filing Fee	\$ 804.00
Applicant claims small entity status under 37 CFR 1.27.				

Charge \$ \_\_\_\_\_ to Deposit Account 501144 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By:

Patrick J.S. Inouye, Esq., Attorney of Record  
 Reg. No. 40297

Date:

DEC 28 2001

Correspondence Address:

Law Offices of Patrick J.S. Inouye  
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 Seattle, WA 98104  
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22895

PATENT TRADEMARK OFFICE

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, D.C. 20231

By:

Typed Name: Casey Leichter

Express Mail Label No.: EL793272042US

Date of Deposit:

DEC 28 2001

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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Hamilton, Chris H.
	Title	System And Method For Determining A Natural Color Depth Of A Digital Image
	Atty Docket Number	011.0262.01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

**DEC 28 2001**

Date

Signature

Patrick J.S. Inouye, Esq.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231**

100346-1996-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hamilton

Application No.: Unassigned

Filed: December 28, 2001

Title: System And Method For Determining  
A Natural Color Depth Of A Digital  
Image

Group Art Unit: Unassigned

Examiner:  
Unassigned

Attorney Docket No.: 011.0262.01

Assistant Commissioner for Patents  
Washington, D.C. 20231

DRAWING TRANSMITTAL LETTER

Sir:

Enclosed herewith please find:

- ( ) \_\_\_\_\_ sheets of redlined drawing(s) which indicate proposed changes to the drawing(s). Upon approval of these proposed changes, formal drawing(s) will be submitted.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) which accompanied the Office Action dated \_\_\_\_\_.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawing(s) Objection (PTO-948) and approved in the Notice of Allowability dated \_\_\_\_\_.
- ( X ) 10 sheets of formal drawings, submitted with the enclosed Utility Patent Application.

Examiner's approval of the entry of these drawings is respectfully requested.

Respectfully Submitted,

By Patrick J.S. Inouye  
Patrick J.S. Inouye, Esq.

Attorney/Agent for Applicant(s)  
Reg. No. 40297

Date: December 28, 2001

Telephone No.: (206) 381-3900



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PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hamilton	
Serial No.: Unassigned	Group Art Unit: Unassigned
Filed: December 28, 2001	
Title: System and Method for Determining a Natural Color Depth of a Digital Image	Examiner: Unassigned
Attorney Docket No.: 011.0262.01	

PETITION TO ACCEPT COLOR DRAWINGS IN A UTILITY PATENT  
APPLICATION UNDER 37 C.F.R. 1.84(a)(2)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant respectfully petitions for the acceptance of color drawings in a utility patent application under 37 C.F.R. 1.84(a)(2).

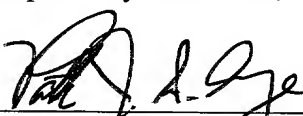
The color drawings submitted as formal FIGURES 2A and 2B in the above-identified patent application show the same color digital images rendered in normal and natural color depths, respectively. The rendition of the image at a normal color depth uses colors drawn from a full 256-color palette, whereas the rendition of the image at a natural color depth uses a minimal set of colors drawn from a 65-color palette. Slight visual differences are present when comparing the two images directly, yet the reduction to natural color depth preserves the visual perception of the resulting color-reduced image. Illustration of this non-contrary result is best shown through actual color drawings and therefore proposed FIGURES 2A and 2B present the only practical medium by which to disclose the subject matter to be patented.

In view of the above, Applicant requests that this Petition to accept color drawings in a utility patent application under 37 C.F.R. 1.84(a)(2) be granted and examination of the application be advanced.



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PATENT TRADEMARK OFFICE

Respectfully Submitted,

  
Patrick J.S. Inouye, Esq.

Date: December 28, 2001